

MAC:MCC:mz

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)

v.)

HUMPHREY HOLMES)

CRIMINAL NO. 11-302

(Judge Rambo)

INDICTMENT

**Count 1
18 U.S.C. § 1344
(Bank Fraud)**

**FILED
HARRISBURG**

OCT 26 2011

MARY E. D'ANDREA, CLERK

Per DEPUTY CLERK

From in or about July 2010 to September 2010, in the Middle District of Pennsylvania, and elsewhere, the defendant,

HUMPHREY HOLMES

devised a scheme and artifice to defraud multiple federally insured financial institutions, including but not limited to Pennsylvania State Employees Credit Union, Belco Credit Union, American General Financial Services, Susquehanna Valley Credit Union, Hershey Federal Credit Union, New Cumberland Federal Credit Union, and Patriot Federal Credit Union. The defendant attempted to and did obtain funds owned by or under the custody or control of these financial institutions by means of false or fraudulent representations or promises. It was part of the scheme and artifice that the defendant provided a false social security

number and proof of employment with the intent to defraud these various financial institutions into providing the defendant loans.

All in violation of Title 18, United States Code, Section 1344.

THE GRAND JURY FURTHER CHARGES THAT:

Count 2
18 U.S.C. § 1343
(Wire Fraud)

From in or about July 2010 to September 2010, in the Middle District of Pennsylvania, and elsewhere, the defendant,

HUMPHREY HOLMES

devised and intended to devise a scheme and artifice to defraud, including but not limited to Pennsylvania State Employees Credit Union, Belco Credit Union, American General Financial Services, Susquehanna Valley Credit Union, Hershey Federal Credit Union, New Cumberland Federal Credit Union, and Patriot Federal Credit Union. In furtherance of this material scheme and artifice to defraud, the defendant transmitted and caused writings, signals and sounds to be transmitted by means of wire communication in interstate commerce. For instance, on August 5, 2010, the defendant submitted via the internet an application for a loan from American General Financial Services using another's social security number. This internet transmission caused wire communications to cross state lines.

All in violation of Title 18, United States Code, Section 1343.

THE GRAND JURY FURTHER CHARGES THAT:

Count 3
18 U.S.C. § 1028(a)(7)
(Identification Fraud)

From in or about July to September 2010, in the Middle District of Pennsylvania, and elsewhere, the defendant,

HUMPHREY HOLMES

did knowingly possess and use in or affecting interstate or foreign commerce, without lawful authority, a social security number of another person and knowing it was the means of identification of another person with the intent to commit a federal offense or a state or local felony.

All in violation of Title 18, United States Code, Section 1028(a)(7).

THE GRAND JURY FURTHER CHARGES THAT:

Count 4
18 U.S.C. § 1028(a)(7)
(Aggravated Identity Theft)

From in or about July 2010 to September 2010, in the Middle District of Pennsylvania, and elsewhere, the defendant,

HUMPHREY HOLMES

did knowingly use in or affecting interstate or foreign commerce, without lawful authority, a social security number of another person and knowing it was the means of identification of another person with the intent to commit the unlawful activity of bank fraud, Title 18 United States Code, Section 1344, and wire fraud, Title 18 United States Code, Section 1343, as alleged in counts one and two of this indictment.

All in violation of Title 18, United States Code, Section 1028A(a)(1).

THE GRAND JURY FURTHER CHARGES THAT:

Count 5
18 U.S.C. § 1344
(Bank Fraud)

From in or about October 2010, in the Middle District of Pennsylvania, and elsewhere, the defendant,

HUMPHREY HOLMES

devised a scheme and artifice to defraud multiple federally insured financial institutions, including but not limited to Pennsylvania State Employees Credit Union, PNC Bank, and Frederick County Bank. Specifically, the defendant had another issue a check in the amount of \$30,000 on a PNC Bank account that contained insufficient funds. Furthermore, through false representations and promises, the defendant attempted to obtain funds from Pennsylvania State Employees Credit Union and Frederick County Bank.

All in violation of Title 18, United States Code, Section 1344.

THE GRAND JURY FURTHER CHARGES THAT:

Count 6
18 U.S.C. §§ 1343, 2
(Wire Fraud)

From in or about October 2010, in the Middle District of Pennsylvania, and elsewhere, the defendant,

HUMPHREY HOLMES

devised and intended to devise a scheme and artifice to defraud, including but not limited to Pennsylvania State Employees Credit Union, PNC Bank, and Frederick County Bank. In furtherance of this material scheme and artifice to defraud, the defendants transmitted and caused writings, signals and sounds to be transmitted by means of wire communication in interstate commerce. For instance, on or about October 12, 2010, Frederick County Bank sent a wire communication from the State of Maryland to the Commonwealth of Pennsylvania with regard to a stop payment order on a check fraudulently obtained.

All in violation of Title 18, United States Code, Section 1343.

THE GRAND JURY FURTHER CHARGES THAT:

Count 7
18 U.S.C. § 1344
(Bank Fraud)

From in or about May to July 2011, in the Middle District of Pennsylvania, and elsewhere, the defendant,

HUMPHREY HOLMES

devised a scheme and artifice to defraud Citibank, a federally insured financial institution. The defendant attempted to and did obtain funds owned by or under the custody or control of this financial institution by means of false or fraudulent representations or promises. It was part of the scheme and artifice that the defendant obtained the credit card information from an individual and utilized that credit card account to make purchases without the permission or authority of the card holder and with the intent to defraud the financial institution into paying for those expenses.

All in violation of Title 18, United States Code, Section 1344.

THE GRAND JURY FURTHER CHARGES THAT:

Count 8
18 U.S.C. § 1343
(Wire Fraud)

From in or about May to July 2011, in the Middle District of Pennsylvania, and elsewhere, the defendant,

HUMPHREY HOLMES

devised and intended to devise a scheme and artifice to defraud others, including but not limited to customers of DMB Finance and Citibank. In the course of this scheme, the defendant fraudulently induced customers to provide their personal information and credit card numbers and in turn used this information for unauthorized purchases. In furtherance of this material scheme and artifice to defraud, the defendant transmitted and caused writings, signals and sounds to be transmitted by means of wire communication in interstate commerce. For instance, in June 2011, the defendant used a Citibank credit card number, which had been fraudulently obtained from a victim, to have products shipped in interstate commerce to an address in the State of Maryland. This purchase caused wire communications to cross state lines.

All in violation of Title 18, United States Code, Section 1343.

THE GRAND JURY FURTHER CHARGES THAT:

Count 9
18 U.S.C. § 1028(a)(7)
(Identification Fraud)

From in or about May to July 2011, in the Middle District of Pennsylvania, and elsewhere, the defendant,

HUMPHREY HOLMES

did knowingly possess and use in or affecting interstate or foreign commerce, without lawful authority, a social security number of another person and knowing it was the means of identification of another person with the intent to commit a federal offense or a state or local felony.

All in violation of Title 18, United States Code, Section 1028(a)(7).

THE GRAND JURY FURTHER CHARGES THAT:

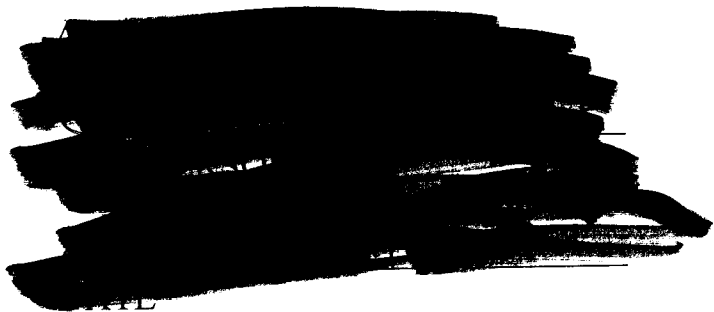
Count 10
18 U.S.C. § 1028(a)(7)
(Aggravated Identity Theft)

From in or about May to July 2011, in the Middle District of Pennsylvania,
and elsewhere, the defendant,

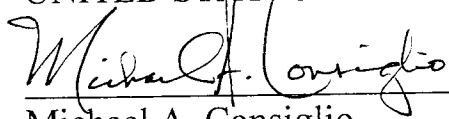
HUMPHREY HOLMES

did knowingly use in or affecting interstate or foreign commerce, without lawful authority, the credit card number of another person and knowing it was the means of identification of another person with the intent to commit the unlawful activity of bank fraud, Title 18 United States Code, Section 1344, and wire fraud, Title 18 United States Code, Section 1343, as alleged in counts seven and eight of this indictment.

All in violation of Title 18, United States Code, Section 1028A(a)(1).



PETER J. SMITH
UNITED STATES ATTORNEY


Michael A. Consiglio
Assistant United States Attorney